

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

FELIPE A. PRIAST,

Plaintiff,

vs.

GENENTECH, INC., et al.,

Defendant.

Case No: C 16-00927 SBA

**ORDER HOLDING ACTION IN
ABEYANCE**

The United States has given notice of its election not to intervene in this action. Dkt. 50. Pursuant to the Court's Order, the action is no longer under seal. Dkt. 51.

As stated in the order lifting the seal, a pro se relator cannot prosecute a qui tam action under the False Claims Act on behalf of the United States. See United States ex rel. Stoner v. Santa Clara County Office of Education, 502 F.3d 1116, 1126-28 (9th Cir. 2007). Accordingly, the Court has given notice that Plaintiff's first cause of action for violations of the False Claims Act WILL BE DISMISSED, without further notice, unless Plaintiff obtains counsel and said counsel files a notice of appearance on or before **August 7, 2016**.

In view of the foregoing, the Court hereby orders that this action be HELD IN ABEYANCE pending expiration of the dismissal period. Upon the dismissal of Plaintiff's cause of action under False Claims Act or the appearance of counsel on behalf of Plaintiff, whichever occurs first, the Court will issue an order setting new deadlines for Defendant to file a responsive pleading and for all other outstanding case management matters.

IT IS SO ORDERED.

Dated: 7/11/16


SAUNDRA BROWN ARMSTRONG
Senior United States District Judge